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SUITE 775, BOISE CASCADE BUILDING

1600 S.W. FOURTH AVENUE

PORTLAND, OREGON 97201

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28 December 1978

IN REPLY PLEASE REFER TO
FILE NO. 4-208

Brand-S Lumber Co.
651 N.W. Jackson
Corvallis, Oregon 97330

Brand-S Corporation
651 N.W. Jackson
Corvallis, Oregon 97330

Fibron Corporation
8614 N. Crawford
Portland, Oregon 97203

Gentlepeople:

This office represents the City of Portland, by and through its Portland Development Commission.

The following described property is required by the Commission for a public use for industrial purposes as provided in City Charter and state statutory law with an ultimate potential for transfer to a federal Urban Development Action Grant for which application has been made. The property is described as:

PARCEL I:

A part of Fractional or Irregular Block 7, all of River Lot 2, and part of River Lot 1 and that part of Albany Street, vacated, all in JAMES JOHN'S ADDITION TO THE TOWN OF ST. JOHNS, in the City of Portland, County of Multnomah and State of Oregon, described as follows:

BEGINNING at the most Northerly corner of Fractional Block 7; thence Southeasterly on the Northeasterly line of said Block, to a point 40 feet Northwesterly from the most Easterly corner of said Block; thence in a Southwesterly direction, along a line drawn parallel to the Northwesterly side line of said Fractional Block and an extension thereof, across Albany (formerly N. Second) Street, now vacated, and continuing on said course, along a line drawn parallel with the Northwesterly line of said River Lot 1 to the Willamette River; thence Northwesterly, along the meanderings of said River, to the Northwesterly line of

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said River Lot 2; thence Northeasterly, along the Northwesternly line of said River Lot 2, and an extension thereof, across Albany Street aforesaid, and continuing on the same course along the Northwesternly line of said Block 7, to the place of beginning, TOGETHER WITH the vacated portion of N. Pittsburg Avenue, which inured to Parcel I by Ordinance No. 141312 of the City of Portland.

PARCEL II:

BEGINNING on the Southeasterly line of N. Bradford Street, which is also the Northeasterly line of Fractional Block 7, in JAMES JOHN'S ADDITION TO THE TOWN OF ST. JOHNS, in the City of Portland, County of Multnomah and State of Oregon, 40 feet Northwesternly from the most Easterly corner of said Fractional Block 7; thence Southwesterly and parallel with the Northwesternly line of N. Salem Avenue and the Southwesterly extension thereof, to the Harbor Line of the Willamette River; thence Southeasterly, along said Harbor Line, to its intersection with the Southerly extension of the Southeasterly line of River Lot 7, ST. JOHNS; thence Northeasterly, along said Southeasterly line of said River Lot 7 and a Northerly extension thereof, to the most Southerly corner of Lot 3, Block 2, ST. JOHNS; thence along the Southeasterly lines of Lots 3 and 6, Block 2, ST. JOHNS to the most Easterly corner of said Lot 6, on the Southwesterly line of N. Bradford Street; thence along said Southwesterly line of N. Bradford Street to the place of beginning; TOGETHER WITH all those portions of vacated streets which inured to said premises; SUBJECT TO the rights of the public as to those portions of said premises lying within the boundaries of N. Burlington Avenue.

PARCEL III:

A portion of Fractional or Irregular Block 4, JAMES JOHN'S ADDITION TO THE TOWN OF ST. JOHNS, in the City of Portland, County of Multnomah and State of Oregon, more particularly described as follows:

BEGINNING at the most Westerly corner of said Block 4, same being also the intersection of Salem Street (now N. Salem Avenue) and Crawford Street (now N. Crawford Street) in said City of St. Johns; thence in a Southeasterly direction, along the Northerly line of

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said N. Crawford Street 50 feet; thence Northeasterly, along a line drawn parallel with N. Salem Avenue 100 feet; thence at right angles Northwesterly along a line drawn parallel with said N. Crawford Street 50 feet to said N. Salem Avenue; thence Southwesterly, along the East line of said Salem Street 100 feet to the place of beginning, all in the City of Portland, County of Multnomah and State of Oregon.

PARCEL IV:

Block 12, JAMES JOHN'S SECOND ADDITION TO ST. JOHNS, in the City of Portland, County of Multnomah and State of Oregon; EXCEPTING THEREFROM that portion conveyed to the City of Portland, by Deed recorded June 16, 1961, in Book 2067, Page 79, Deed Records.

PARCEL V:

All that portion of River or Wharf Lots 1, 2, 3, 4, 5 and 6, ST. JOHNS, in the City of Portland, according to the duly recorded plat thereof, and also all that portion of what was formerly Charleston Street which has since been vacated in said Town of ST. JOHNS, more particularly described as follows:

BEGINNING at the Southwest corner of a certain tract of land conveyed by way of Mortgage by Western Wool Warehouse Company, an Oregon corporation, to Ladd & Tilton Bank by that certain Mortgage recorded in Book 892, Page 394, Mortgage Records; running thence in an Easterly direction, along the Southerly line of that tract of land described in said Mortgage, a distance of 226.25 feet to the Southeast corner thereof; thence in an Easterly direction, along an extension of the Southerly line of that tract of land described in said Mortgage to a point in the Westerly line of N. Richmond Avenue; thence in a Southwesterly direction along said Westerly line of N. Richmond Avenue and an extension thereof, to the low water mark in the Willamette River; thence following the low water mark in the Willamette River down stream and in a Westerly direction to the point of intersection between said low water mark and a Southerly extension of the Westerly side line of said tract of land described in said Mortgage; thence Northeasterly, along said last mentioned line to the point of beginning.

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PARCEL VI:

All of the following bounded and described real property, situated in the City of Portland, County of Multnomah and State of Oregon:

BEGINNING at a point on the Westerly line of N. Richmond Avenue, 31.5 feet Southerly from the Southeast corner of said Block 1, ST. JOHNS; thence Southerly and following the Westerly line of N. Richmond Avenue, 20 feet; thence North $68^{\circ} 30'$ West, parallel to the Southerly line of said Block 1, 120.5 feet; thence Southerly, parallel to the Westerly line of N. Richmond Avenue, 50.5 feet; thence Westerly, at right angles 14.1 feet; thence Southerly, at right angles and parallel with the Westerly line of N. Richmond Avenue 64 feet; thence in a Westerly direction 226.25 feet to a point on the Westerly line of said River or Wharf Lot 6, which is 351 feet South $24^{\circ} 30'$ West from the Northwest corner of said Lot 7 in Block 2, ST. JOHNS; thence North $24^{\circ} 30'$ East, along the Westerly line of said River Lot 6 and the same extended 351 feet to the Northwest corner of said Lot 7 in Block 2; thence South $65^{\circ} 30'$ East, along the Southerly line of N. Bradford Street 156 feet to a point 4 feet Westerly from the Northwest corner of said Block 1; thence South $24^{\circ} 30'$ West, parallel to the East line of said Block 1 130.5 feet; thence South $65^{\circ} 30'$ East, parallel to the Southerly line of said Block 1, 73.74 feet; thence South $24^{\circ} 30'$ West, parallel to the Easterly line of said Block 1, 101 feet; thence South $65^{\circ} 30'$ East, parallel to the Southerly line of said Block 1, 130.26 feet, more or less, to the place of beginning.

PARCEL VII:

A tract of land in the City of Portland, County of Multnomah and State of Oregon, described as follows:

BEGINNING at a point 31.5 feet South of the Southeasterly corner of Lot 1, Block 1, ST. JOHNS; thence Northerly, along the Easterly line of Block 1, 231.5 feet; thence Westerly 204 feet to a point in the Northerly line of Block 1, extended Westerly; thence Southerly and parallel to the Westerly line of Block 1, 130.5 feet; thence Easterly, parallel to the Southerly line of Lot 5, Block 1, 73.74 feet; thence Southerly and parallel to the Westerly line of Lot 3, Block 1,

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101 feet; thence Easterly in a straight line, 130.26 feet to the point of beginning; ALSO, the following described property, to-wit: BEGINNING at a point in the Westerly line of N. Richmond Avenue, which said point is 251.5 feet South of the Northeasterly corner of Block 1, ST. JOHNS; thence Southerly, along the Westerly line of N. Richmond Avenue 123.46 feet; thence North $61^{\circ} 42'$ West 134.90 feet; thence Northerly and parallel with the Westerly line of N. Richmond Avenue 64 feet; thence Easterly and parallel with the South line of Block 1 in said addition, 14.10 feet; thence Northerly and parallel with the Easterly line of N. Richmond Avenue 50.5 feet; thence Easterly and parallel with the Northerly line of said Block 1, 120.50 feet to the place of beginning.

PARCEL VIII:

Lots 1, 2, 3, 4, 5, 6, 7 and 8, Block 7, ST. JOHNS, in the City of Portland, County of Multnomah and State of Oregon; TOGETHER WITH that portion of N. Charleston Avenue lying between Blocks 7 and 8, ST. JOHNS, as vacated by Ordinance No. 110866, and that portion of N. John Avenue, lying between Block 6 and 7, ST. JOHNS.

PARCEL IX:

Lots 1, 2, 3, 4, 5, 6, 7 and 8, Block 8, ST. JOHNS, in the City of Portland, County of Multnomah and State of Oregon, said real property being all of said Block 8.

PARCEL X:

All that portion of N. Richmond Avenue in the City of Portland, County of Multnomah and State of Oregon, lying Southerly of the Southwesterly line of O.W.R. & N. CO. right-of-way.

PARCEL XI:

A tract of land described as being at the point in the Southwest corner of the William and Nancy Caples Donation Land Claim, in the City of Portland, County of Multnomah and State of Oregon; running thence Easterly, parallel with the Willamette River to a point in the Easterly line of Richmond Street, as now laid out and established and shown in official map of the City of St. Johns; running thence in a Northeasterly direction

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following the Easterly line of Richmond Street 282 feet, more or less, to the Southerly line of O.W.R. & N. Company's right-of-way; thence South 71° East 133 feet, more or less, along the Southerly line of O.W.R. & N. Company's right-of-way to the Westerly line of Block 49, A. L. MINER'S ADDITION; thence Northerly, following the Westerly line of Block 49 to the Southerly line of Bradford Street, if extended; thence Easterly on the Southerly line of Bradford Street, if extended, to the center of Tyler Street before being vacated, said point being 30 feet from the Northeast corner of Block 46, MINER'S ADDITION; thence Southerly, along the centerline of Tyler Street, before vacated, parallel with and 30 feet distant from the Easterly line of Block 46 and extension thereof, to the center of Albany Street, before vacated; thence Westerly, following the centerline of Albany Street, to a point 118 feet Easterly from the Westerly line of Block 52 in said Miner's Addition to the Town of St. Johns, if said line were extended across what was formerly Albany Street; thence Southerly and parallel with the Westerly line of Block Tract 17, Lots 2 and 3, Block 1, JAMES JOHN'S ADDITION TO ST. JOHNS, in the City of Portland, County of Multnomah and State of Oregon.

PARCEL XII:

A tract of land in Section 12, Township 1 North, Range 1 West of the Willamette Meridian, in the City of Portland, County of Multnomah and State of Oregon, described as follows:

BEGINNING at the Northwest corner of Block 49, A. L. MINER'S ADDITION, in the City of Portland, County of Multnomah and State of Oregon; thence Northwesterly, along the Southerly line of N. Bradford Street extended Westerly, to the intersection of said line so extended with the Northeasterly right-of-way line of the O.W.R. & N. Company Railway; thence Southeasterly, along said right-of-way line, to its intersection with the Westerly line of said Block 49; thence Northerly, along the Westerly line of Block 49 to the point of beginning.

PARCEL XIII:

A tract of land in Section 12, Township 1 North, Range 1 West of the Willamette Meridian, in the City of

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Portland, County of Multnomah and State of Oregon,
described as follows:

BEGINNING at a point in the Southerly right-of-way line of the Oregon-Washington Railroad & Navigation Company at its intersection with a line drawn parallel to and distant 118.0 feet at right angles in an Easterly direction from the Westerly side line of Block 52, A. L. MINER'S ADDITION, as shown on the duly recorded plat thereof; running thence South 24° 38' 15" West, parallel to said Westerly line of said Block 52, 190.0 feet to the boundary of said A. L. MINER'S ADDITION; thence South 29° 29' West 156.38 feet to the Harbor line of the Willamette River; thence South 60° 31' East, along the Harbor line, 386.59 feet to an intersection with a Southerly extension of the centerline of N. Tyler Avenue; thence North 24° 38' 15" East, along said extension of the centerline of N. Tyler Avenue 311.78 feet to a point in the Southerly right-of-way line of Oregon-Washington Railroad & Navigation Company; thence Westerly, along said right-of-way line to the point of beginning; EXCEPT that portion lying Easterly of the centerline of N. VanBuren Avenue, as extended Southerly to the Harbor Line of the Willamette River.

Subject to the following exceptions:

1. The rights of fishing, navigation and commerce in the State of Oregon, the federal government, and the public in and to that portion thereof lying below the ordinary high water mark of the Willamette River.
2. The rights acquired by the Oregon Railroad & Navigation Company to the northerly part of Block 1, described in Deed for right-of-way executed by the Oregon Barrel Company, to the Oregon Railroad & Navigation Co., dated February 8, 1902, recorded February 19, 1902, in Book 287, Page 206, Deed Records. (Affects Parcel VII).
3. The spur track rights of the Oregon Washington Railroad & Navigation Co.
4. An easement, including the terms and provisions thereof, for sewer purposes and maintenance therefor, as set forth in Deed from St. Johns Lumber Co., a corporation, to City of St. Johns, recorded June 20,

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1951, in Book 1482, Page 430, Deed Records. (Affects the Northwesterly 40 feet of Parcel II running parallel to vacated N. Salem Avenue).

5. An easement, including the terms and provisions thereof, contained in Deed from John L. Hartman, et al, to the Oregon Railroad & Navigation Company, an Oregon corporation, recorded December 19, 1901, in Book 285, Page 249, Deed Records. (Affects Parcels XI and XIII).

6. An easement, including the terms and provisions thereof, for utilities, from Portland Manufacturing Company, an Oregon corporation, to Portland General Electric Company, an Oregon corporation, recorded May 21, 1936, in Book 339, Page 31, Deed Records. (Affects Parcel XI).

7. Spur Track Agreement, including the terms and provisions thereof, between Portland Manufacturing Company, a corporation, and the Oregon-Washington Railroad & Navigation Co., a corporation, recorded June 14, 1938, in Book 452, Page 408, Deed Records. (Affects Parcels XI and XIII).

8. An easement, including the terms and provisions thereof, for sewers, from the Port of Portland, a municipal corporation, to City of Portland, a municipal corporation, recorded May 9, 1947, in Book 1170, Page 325, Deed Records. (Affects Parcel XIII).

9. An easement, including the terms and provisions thereof, for ingress and egress, from Portland Manufacturing Company, a corporation, recorded December 19, 1962, in Book 2147, Page 496, Deed Records. (Affects vacated portion of N. John Avenue and Parcel VIII).

10. An easement, including the terms and provisions thereof, for sewer, being 10 feet in width, from Portland Manufacturing Company, to City of Portland, recorded June 16, 1961, in Book 2067, Page 77, Deed records. (Affects the portion of Parcel XI within vacated Van Buren Avenue).

11. Easements for utilities over and across the premises formerly included within the boundaries of N. Charleston Avenue and N. John Avenue, now vacated as reserved in Ordinance No. 110866. (Affects Parcel

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VIII).

12. Easements for utilities over and across the premises formerly included within the boundaries of N. Richmond Avenue, now vacated, as reserved in Ordinance No. 110867. (Affects Parcel X).

13. Conditions in Conditional Use Request No. CU-9-73 of the City of Portland, recorded April 6, 1973, in Book 919, Page 604, Film Records, relating to landfill. (Affects Parcels I, II and XI).

14. An easement, including the terms and provisions thereof, for distribution line, being 16 feet in width, from Brand-S-Corporation, an Oregon corporation, to Portland General Electric Company, an Oregon corporation, recorded March 13, 1975, in Book 1031, Page 1117, Film Records. (Affects the Easterly portion of Parcel VII).

15. Conditions imposed by Conditional Use Request No. CU 40-78 of the City of Portland, recorded July 3, 1978, in Book 1276, Page 2167, Film Records, to which reference is hereby made. (Affects the portion of Parcel II between N. Salem and N. Burlington Avenues).

16. A non-exclusive roadway easement for ingress, egress and spur track facilities, over and across a 30 foot strip lying Southerly and adjoining the Southerly line of the O.W.R. & N. Company's right-of-way, as set forth in Deed to Menasha Corporation, recorded July 22, 1978, in Book 1281, Page 1731, Film Records. (Affects Parcels X and XI).

I have been authorized by the Portland Development Commission to offer to you, and do hereby offer and tender to you the sum of one million five hundred thousand dollars (\$1,500,000) for a warranty deed and other appropriate instruments conveying all interests of the above parties in the real property herein described to the City of Portland, free and clear of all liens and encumbrances, rights of possession, claims to rights of possession, recorded and unrecorded leasehold interests, except the month-to-month leasehold interest of the Fibron Corporation, and building restrictions of record and zoning ordinances, subject only to the above exceptions, and quitclaim all right, title and interest which the above estate may have in any alleys, roads, streets, ways, strips, easements or rights-of-way abutting, adjoining or appurtenant to the said property.

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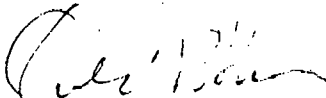
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The offer herein contained is based upon fee appraisals made of the subject property and a consideration of the sales of similar properties. It includes the value of building improvements located on the subject property. In the event we are unable to reach a satisfactory agreement upon basis of the offer herein contained, condemnation proceedings may be commenced. We must, therefore, have your immediate acceptance or rejection of this offer. If you have any questions or are willing to settle for the offer herein stated, please contact the undersigned at your earliest convenience. It is sincerely hoped that condemnation proceedings will not be necessary and that a settlement can be reached.

The tenant on these premises, Fibron Corporation, may be entitled to certain benefits under the relocation laws of the State of Oregon. Any questions regarding such rights should be directed to Mr. Stan Jones at the Portland Development Commission office. He may be reached at 248-4800.

Very truly yours,

WILLIAMS, STARK, HIEFIELD,
NORVILLE & GRIFFIN, P.C.



DONALD R. STARK

cc: J. David Hunt, Portland Development Commission
Stan Jones, Portland Development Commission
John Schwabe, Esq. (Hand Delivered)

DRS/emb

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INVOICE NO.	INVOICE DATE	DESCRIPTION	GROSS AMOUNT	DISCOUNT	NET AMOUNT
		2008 Annual Report - Registry number 072753-16			
CHECK NUMBER		TOTALS ►			

24-22
1230

20528

BRAND S CORPORATIONP.O. Box 1087
Eugene, OR 97339U.S. Bank
Eugene Main Branch

VOID IF NOT CASHED WITHIN 90 DAYS

January 22, 2008

Fifty and 00/100**

PAY TO THE ORDER OF

OREGON SECRETARY OF STATE
CORPORATION DIVISION
P. O. BOX 4353
PORTLAND, OR 97208-4353

CHECK AMOUNT

\$50.00**

NOT NEGOTIABLE

AUTHORIZED SIGNATURE

AUTHORIZED SIGNATURE

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envelope.